



WS 34 2003

State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 8, 2003

Keith Hill
Mackay, ID 83251

Dear Mr. Hill:

As you requested, I have reviewed Warm Springs Creek water rights formerly owned by the Idaho Department of Fish and Game (IDFG). I believe the water right you are interested in is Water Right No. 34-861.

According to our records, the original owner of this water right was L. M. Young. The right was decreed to L. M. Young in the Utah Construction case. The maximum diversion rate was 3.1 cubic feet per second (cfs).

IDFG acquired the water right by purchase and, in 1954, transferred 0.12 cfs for domestic use and irrigation of a 5-acre place of use. This became Water Right No. 34-861B, which is still owned by IDFG and has a point of diversion near the hatchery. The remaining 2.98 cfs became Water Right No. 34-861A. This right was acquired by Broken River Ranch, LP and, in 2000, was transferred to change the place of use from 130 acres to a combined 437.4-acre place of use. The right has an acre limit of 130 acres per irrigation season and combined limits with other water rights involved in the transfer.

Copies of the data pertaining to Water Rights No. 34-861A and 34-861B are attached for your reference. Please contact me if you have additional questions regarding these rights.

Sincerely,

A handwritten signature in cursive script that reads 'Jennifer Berkey'.

Jennifer Berkey
Water Distribution

Attachments

cc: Bob Duke, Watermaster, Water District 34

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-861A V1

WATER RIGHT NUMBER: 34-861A V1

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE, ID 83707 (208)334-2920
Original Owner	L M YOUNG , ID
Current Owner	BROKEN RIVER RANCH LP C/O ROY E CRAWFORD 5660 W 4920 N MACKAY, ID 83251 (415)442-1155

Priority Date: 05/01/1894

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WARM SPRINGS CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	2 980 CFS	455.00 AF
	<u>Total Diversion:</u>	2 980 CFS	455.00 AF

Location of Point(s) of Diversion

WARM SPRINGS CREEK	NW1/4NE1/4SW1/4	Sec. 27, Twp 08N, Rge 22E, B M.
CUSTER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	27							31.0	32.0	34.4	36.0	32.0	32.0			32.0	32.0	261.4
08N	22E	28													40.0	40.0			80.0
08N	22E	34			32.0		32.0	32.0											96.0

Total Acres: 437.4

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-861B V1

WATER RIGHT NUMBER: 34-861B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE, ID 83707 (208)334-2920
Original Owner	L M YOUNG , ID

Priority Date: 05/01/1894

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WARM SPRINGS CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.020 CFS	
IRRIGATION	5/01 to 10/15	0.100 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

WARM SPRINGS CREEK	SE1/4NW1/4SE1/4	Sec 34, Twp 08N, Rge 22E, B M.
CUSTER County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	34														X			

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	22E	34														5.0			5.0

Total Acres: 5

Conditions of Approval: